

UNITED STATES DISTRICT COURT

# MEMO ENDORSED

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Shelly Jones and Warren Jones

Plaintiff,

Pennymac Loan Services LLC,

Defendants

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Case# 23-35477

Case# 23-09014 CGM  
Case# 23-09014 CGM  
Motion to Stay

## MOTION FOR STAY PENDING APPEAL

Civil Practice Law and Rules 5519

Stay of

CPLR 5519: Stay of Enforcement

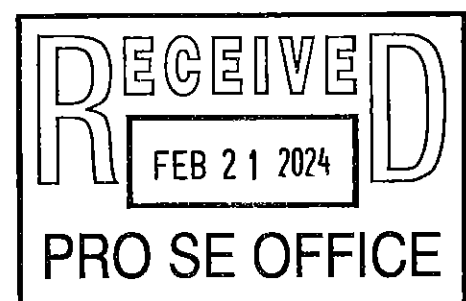
provides the mechanism to stay enforcement of an order under appeal

until the appeal itself is decided.

CPLR 2201: Except where otherwise prescribed by law, the court in which

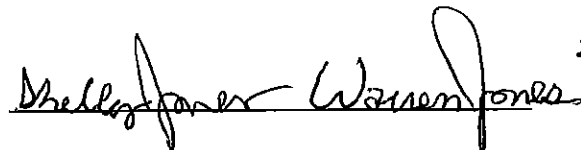
an action is pending may grant a stay of proceedings in a proper case

upon such terms as may be just



Come now Shelly and Warren Jones, Plaintiffs in the above captioned case respectfully move the Court grants a stay pending our appeal which was previously filed with this court. A stay is appropriate so that parties will not suffer irreparable harm while it awaits a decision from this court. The Defendants would like to pursue the foreclosure and sale of this property before the appeal has gone through the courts. As serious questions are being raised and justification being sought by the appellate division, arguments not addressed in bankruptcy court have been presented. In addition, there are matters of fraud that have yet to be determined by this Court. Pennymac Loan Services has not responded to Proof of Claim as demanded in the Adversary Pleading. We have been stating from the inception of this case that Pennymac lacks standing and we are requesting a stay until this court proves by preponderance of evidence that Pennymac Loan has continuously committed fraud upon the court.

Respectfully submitted,

 2-21-24

Shelly and Warren Jones

U. S. District Court  
300 Quarropas Street  
White Plains, NY 10601

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For the reasons stated in the Court's Order denying Appellants' application for a preliminary injunction and temporary restraining order, the Court denies Appellants' duplicative Motion To Stay foreclosure proceedings against them in state court. (See Dkt. No. 13.) The Clerk of Court is respectfully directed to terminate the pending Motion and to mail a copy of this Order to Appellants. (See Dkt. No. 7.)

SO ORDERED.



3/15/2024